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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**
11

12 United States of America,
13 Plaintiff

14 v.

15 Barry Ray Knight,
16 Defendant
17

Case No. 2:21-cr-00127-CDS-BNW

**STIPULATION TO CONTINUE
SENTENCING HEARING
(Second Request)**

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19 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M.
20 Frierson, United States Attorney, and Supriya Prasad, Assistant United States
21 Attorney, counsel for the United States of America, and Rene L. Valladares,
22 Federal Public Defender, and Benjamin F. J. Nemec, Assistant Federal Public
23 Defender, counsel for Barry Ray Knight, that the sentencing hearing currently
24 scheduled for March 23, 2023 at the hour of 11:00 a.m., be vacated and set to a
25 date and time convenient to this court, but no sooner than thirty (30) days.

26 The Stipulation is entered into for the following reasons:

1 1. This Court previously granted a stipulation to continue Mr.
2 Knight's sentencing on January 30, 2023 to allow defense counsel additional
3 time to receive Mr. Knight's medical records.

4 2. Defense counsel requested records from three separate hospitals.
5 Defense counsel has received medical records from two of these hospitals.

6 3. However, defense counsel has not received medical records from the
7 primary provider for Mr. Knight. Defense counsel has sent three separate
8 requests to the primary provider, the first going out on February 7, 2023, and
9 the last going out on March 10, 2023.

10 4. Additional time is necessary to allow defense counsel to receive this
11 mitigating information.

12 5. Mr. Knight is in custody and agrees with this request for a
13 continuance.

14 6. The parties agree to the continuance.

15 7. The additional time requested herein is not sought for purposes of
16 delay, but merely to allow counsel for defendant sufficient time within which to
17 adequately prepare for the sentencing hearing.

18 8. Additionally, denial of this request for continuance could result in a
19 miscarriage of justice.
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1 This is the second request for continuance of the sentencing hearing.

2 DATED this 14th day of March, 2023.

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4 RENE L. VALLADARES
5 Federal Public Defender

JASON M. FRIERSON
United States Attorney

6 By /s/ Benjamin F. J. Nemec
7 BENJAMIN F. J. NEMEC
8 Assistant Federal Public Defender

By /s/ Supriya Prasad
SUPRIYA PRASAD
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 UNITED STATES OF AMERICA,

5 Plaintiff

6 v.

7 BARRY RAY KNIGHT,

8 Defendant
9

Case No. 2:21-cr-00127-CDS-BNW

ORDER

10 IT IS THEREFORE ORDERED that the sentencing hearing currently
11 scheduled for March 23, 2023 at the hour of 11:00 a.m., be vacated and continued
12 to May 8, 2023 at the hour of 11:00 a.m. in courtroom 6B.

13 DATED this 15th day of March, 2023.

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15 UNITED STATES DISTRICT JUDGE
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